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**ADMITTED IN DELAWARE ONLY

DIRECT DIAL: 854- 8843

September 15, 1986

Francisco Barba, Compliance Officer
CERCLA Remedial Enforcement Section (3HW12)
U.S. EPA, Region III
841 Chestnut Building
Philadelphia, PA 19107

Re: Eastern Diversified Metals Site
Hometown, Schuylkill County, PA

Dear Mr. Barba:

This letter shall serve to confirm our telephone conversation of September 3, 1986, during which I informed you of our representation of Sussman Bros. & Co. with respect to the above matter.

During our conversation, you expressed your desire to receive a response, by September 15, 1986, to the recent letter of Bruce P. Smith, Chief, Hazardous Waste Enforcement Branch, regarding the Eastern Diversified Metals Site. As I understand our conversation, the time period involved for the operation of the Eastern Diversified Metals facility at that site was 1966 to 1975.

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This letter shall further serve as a response to Mr. Smith's letter.

Our client has carefully reviewed its records and informs us that the enclosed documents constitute the only documents in its possession responsive to Mr. Smith's request with respect to the period in question.

Our client further informs us that the information contained in the enclosed documents is the only information in its possession regarding deliveries of any materials to the Eastern Diversified Metals Site or to Eastern Diversified Metals Corp., Diversified Industries, Inc. or Theodore Sall, Inc. during the period in question.

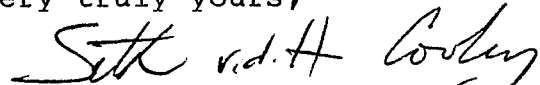
Our client further informs us that it possesses no documents or information concerning other persons or companies in any way related to substances transported to the Eastern Diversified Metals Site.

Finally, our client informs us that it has no property interest in the Eastern Diversified Metals Site and, accordingly, has no documentation in its possession reflecting such an interest.

As evidenced by the enclosed documents, the materials transported by our client to the Eastern Diversified Metals facility were transported pursuant to contracts of sale for use by Eastern Diversified Metals in production. The materials were not transported to be stored or disposed and were not transported to the "pile" of material which you described during our telephone conversation. Thus, to the extent that the term "Eastern Diversified Metals Site," as used in Mr. Smith's letter, refers to the "pile" of material which you described during our telephone conversation, our client transported no material to the "Eastern Diversified Metals Site."

Should you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,



Seth v.d.H. Cooley
for DUANE, MORRIS & HECKSCHER

SvdHC:js
cc: Sussman Bros. & Co.

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